

**(d) Failure to report for service; liability to United States**

If a teacher does not report for service at the beginning of the next school year, he shall, except for reasons beyond his control and acceptable to the Department of Defense, be obligated to the United States in an amount equal to any quarters allowance which he may have received under subsection (c) of this section or in an amount equal to the reasonable value of any quarters or storage which he may have received under such subsection, or both, as the case may be.

**(e) Employment in other positions during recess periods**

Quarters, quarters allowance, and storage provided under this section shall be in lieu of any quarters, quarters allowance, and storage to which he otherwise might be entitled by reason of employment in another position during any recess period between two school years.

(Pub. L. 86-91, § 7, July 17, 1959, 73 Stat. 216; Pub. L. 87-172, § 1, Aug. 30, 1961, 75 Stat. 409.)

**CODIFICATION**

In subsecs. (b) and (c)(1), “section 5912 of title 5” substituted for “the Act of June 26, 1930 (5 U.S.C. 118a)” on authority of Pub. L. 89-554, § 7(b), June 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 2355 of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

**AMENDMENTS**

1961—Subsec. (d). Pub. L. 87-172 inserted “except for reasons beyond his control and acceptable to the Department of Defense”.

**DELEGATION OF FUNCTIONS**

Functions vested in President by subsec. (a) of this section concerning authority to prescribe regulations relating to quarters and quarters allowances delegated to Secretary of State pursuant to Ex. Ord. No. 12228, July 24, 1980, 45 F.R. 49903, set out as a note under section 707 of Title 38, Veterans’ Benefits.

Authority of President under subsec. (a) of this section to prescribe regulations relating to storage (including packing, drayage, unpacking, and transportation to and from storage) of household effects and personal possessions delegated to Administrator of General Services, see section 1(19) of Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out as a note under section 301 of Title 3, The President.

Secretary of State empowered to prescribe regulations relating to cost-of-living allowances, see section 4(a) of Ex. Ord. No. 10903, Jan. 11, 1961, 26 F.R. 217, set out as a note under section 5921 of Title 5, Government Organization and Employees.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 907 of this title.

**§ 906. Entitlements in addition to basic compensation**

**(a) Cost-of-living increase and additional compensation**

Under regulations which shall be prescribed by or under authority of the President, each teacher (other than a teacher employed in a substitute capacity) shall be entitled, in addition to basic compensation, to—

(1) cost-of-living allowances equal to those authorized by section 5924 of title 5, and

(2) additional compensation equal to that authorized under section 5941 of title 5.

**(b) Post differential**

The cost-of-living allowances and additional compensation provided under subsection (a) of this section for any teacher shall be based on the teaching position in which he rendered services on a school-year basis, except that, if such teacher is employed in another position during any recess period between two school years, such allowances and compensation for such recess period shall be based on the position in which he is employed during such recess period.

(Pub. L. 86-91, § 8, July 17, 1959, 73 Stat. 216; Pub. L. 96-465, title II, § 2206(d), Oct. 17, 1980, 94 Stat. 2162.)

**CODIFICATION**

In subsec. (a)(2), “section 5941 of title 5” substituted for “section 207 of the Independent Offices Appropriation Act, 1949 (5 U.S.C. 118h)” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 2356 of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

**AMENDMENTS**

1980—Subsec. (a)(1). Pub. L. 96-465 substituted reference to section 5924 of title 5 for reference to section 1131(2) of title 22.

**EFFECTIVE DATE OF 1980 AMENDMENT**

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of Title 22, Foreign Relations and Intercourse.

**DELEGATION OF FUNCTIONS**

Functions vested in President by subsec. (a) of this section concerning authority to prescribe regulations relating to cost of living allowances delegated to Secretary of State pursuant to Ex. Ord. No. 12228, July 24, 1980, 45 F.R. 49903, set out as a note under section 707 of Title 38, Veterans’ Benefits.

Functions of President under subsec. (a) of this section delegated to Director of Bureau of the Budget, now Director of Office of Management and Budget, see section 1(10) of Ex. Ord. No. 11230, June 28, 1965, 30 F.R. 8447, set out as a note under section 301 of Title 3, The President.

Secretary of State empowered to prescribe regulations relating to quarters and quarters allowance, see section 4(a) of Ex. Ord. No. 10903, Jan. 11, 1961, 26 F.R. 217, set out as a note under section 5921 of Title 5, Government Organization and Employees.

**REGULATIONS APPLICABLE TO PAYMENT OF ADDITIONAL COMPENSATION**

For provisions relating to payment of additional compensation authorized by subsec. (a)(2) of this section in accordance with the regulations contained in Ex. Ord. No. 10000, see section 1-101 of Ex. Ord. No. 12228, July 24, 1980, 45 F.R. 49903, set out as a note under section 707 of Title 38, Veterans’ Benefits.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 907 of this title.

**§ 907. Applicability of other laws**

In the case of any teacher who—

- (1) is performing services as a teacher at the close of a school year,  
 (2) agrees in writing to serve as a teacher for the next school year, and  
 (3) is employed in another position in the recess period immediately preceding such next school year, or, during such recess period, receives quarters, allowances, or additional compensation referred to in sections 905 and 906 of this title, or both, as the case may be,

section 5533 of title 5 shall not apply to such teacher by reason of any such employment during a recess period or any such receipt of quarters, allowances, or additional compensation, or both, as the case may be.

(Pub. L. 86-91, §10(b), July 17, 1959, 73 Stat. 217; Pub. L. 88-448, title IV, §401(n), Aug. 19, 1964, 78 Stat. 492.)

#### CODIFICATION

“Section 5533 of title 5” substituted in text for “section 301 of the Dual Compensation Act” on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 2358(b) of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

#### AMENDMENTS

1964—Subsec. (b). Pub. L. 88-448 made section 301 of the Dual Compensation Act inapplicable and struck out provisions which referred to former section 62 of title 5 and section 6 of the act of May 10, 1916.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 5 section 5533.

### CHAPTER 25A—OVERSEAS DEFENSE DEPENDENTS' EDUCATION

- Sec.  
 921. Defense dependents' education system.  
     (a) Establishment.  
     (b) Program purposes and activities.  
     (c) Consultation requirements.  
     (d) Optional summer school programs.  
 922. Administration of defense dependents' education system.  
     (a) Operation; Director.  
     (b) Implementation of program functions of Secretary of Defense through Director.  
     (c) Functions of Director.  
     (d) Establishment of regional or area offices; reports to Congress on reorganizations; authorized number of civilian employees.  
 923. Tuition-paying students.  
     (a) Enrollment of ineligible child in system school.  
     (b) Determination of amount of tuition; use of payments.  
     (c) Regulations respecting enrollment requirements.  
     (d) Enrollment of certain children in overseas schools.  
 924. Annual educational assessment.  
     (a) Contents.  
     (b) Availability.  
 925. Budget request for school construction funds for Director of Dependents' Education.  
 926. School system for dependents in overseas areas.  
     (a) Establishment and operation.  
     (b) Tuition and assistance when schools unavailable.

- Sec.  
     (c) Continuation of enrollment for certain dependents of members of Armed Forces involuntarily separated.  
 927. Allotment formula.  
     (a) Establishment by regulation of minimum allotment formula; criteria.  
     (b) Issuance, etc., of regulations.  
     (c) Applicability of certain provisions.  
 928. School advisory committees.  
     (a) Establishment; functions; membership.  
     (b) Election of members; regulations respecting qualifications and election procedures.  
     (c) Members to serve without pay.  
 929. Advisory Council on Dependents' Education.  
     (a) Establishment; membership; Director.  
     (b) Terms of office of members.  
     (c) Meetings; functions.  
     (d) Compensation, etc., of members.  
     (e) Termination.  
 930. Study of defense dependents' education system.  
     (a) Scope; conduct and report to Director by contractor.  
     (b) Consultation requirements respecting study specifications and contractor selection.  
     (c) Reporting requirements of Director.  
 931. Regulations; issuance and contents.  
 932. Definitions.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 3489 of this title; title 10 section 2605; title 15 sections 2642, 2643, 2646; title 37 sections 429, 430; title 42 section 300j-21.

### § 921. Defense dependents' education system

#### (a) Establishment

The Secretary of Defense shall establish and operate a program (hereinafter in this chapter referred to as the “defense dependents' education system”) to provide a free public education through secondary school for dependents in overseas areas.

#### (b) Program purposes and activities

(1) The Secretary shall ensure that individuals eligible to receive a free public education under subsection (a) of this section receive an education of high quality.

(2) In establishing the defense dependents' education system under subsection (a) of this section, the Secretary shall provide programs designed to meet the special needs of—

- (A) the handicapped,  
 (B) individuals in need of compensatory education,  
 (C) individuals with an interest in vocational education,  
 (D) gifted and talented individuals, and  
 (E) individuals of limited English-speaking ability.

(3) The Secretary shall provide a developmental preschool program to individuals eligible to receive a free public education under subsection (a) of this section who are of preschool age if a preschool program is not otherwise available for such individuals and if funds for such a program are available.

#### (c) Consultation requirements

The Secretary of Defense shall consult with the Secretary of Education on the educational